

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

UNITED STATES OF AMERICA,

VS.

CRIMINAL ACTION NO. 4:09CR066-P-S

KELLY YOUNG, a/k/a KELLY HUGHES,

DEFENDANT.

ORDER

This matter comes before the court upon Defendant Kelly Young's Motion to Correct Defendant's Name, Motion for Continuance, and Motion to Extend Pretrial Deadlines [85]. After due consideration of the motion and the response filed thereto, the court finds as follows, to-wit:

Because the court has already granted co-Defendant Turner's motion to continue, Defendant Young's motion to continue and to extend pretrial deadlines should be denied as moot.

With regard to the motion to remove Defendant Kelly Young's alias Kelly Hughes, the court finds that the motion should be denied. It is undisputed that Kelly Young has been known in the past as Kelly Hughes, and that his birth certificate names him as Kelly Hughes. Therefore, there is no unfair prejudice in using both names in the Indictment and the style of the case. Defense counsel is free to argue his position to the jury during trial.

IT IS THEREFORE ORDERED AND ADJUDGED that Defendant Kelly Young's Motion to Correct Defendant's Name, Motion for Continuance, and Motion to Extend Pretrial Deadlines [85] is **DENIED** in all respects.

SO ORDERED this the 2nd day of September, A.D., 2009.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE